

## UNITED STATES DISTRICT COURT

District of Massachusetts

FILED THIS OFFICE

SCANNED

DATE: 3/21/05

United States of America for the use of  
W. Waltham Lime & Cement Company,

Plaintiff,

Peabody Construction Co., Inc.,  
ODF Contracting Co., Inc.,  
Hoon Companies, Inc. and  
Travelers Casualty and Surety Company  
of America,

Defendants

CASE NUMBER:

05-10138 NG

SUMMONS IN ACTION

U.S. DISTRICT COURT  
DISTRICT OF MASS.

05 1 b9 b38 NG

TO: (Name and address of Defendant)

ODF Contracting Co., Inc. (c/o John Aquino, Bankruptcy Trustee for ODF Contracting)  
60 Gerard Street  
Boston, MA 02119

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Anthony M. Moccia, Esquire  
David B. Hobbie, Esquire  
ECKERT SEAMANS CHERIN & MELLOTT, LLC  
One International Place, 18th Floor  
Boston, MA 02110Telephone: 617-342-6800  
Facsimile: 617-342-6899

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

(By) DEPUTY CLERK



DATE

FEB 3 2005

## RETURN OF SERVICE

DATE

NAME OF  
Chec



Suffolk County Sheriff's Department • 45 Bromfield Street • Boston, MA 02108 • (617) 989-6999  
Suffolk, ss.

March 2, 2005

I hereby certify and return that on 3/2/2005 at 3:40PM I served a true and attested copy of the Summons, Complaint and Cover Sheet and Letter, Category Sheet in this action in the following manner: To wit, by delivering in hand to J.Aquino, agent and person in charge at the time of service for ODF Contracting Co., Inc., at Boston, MA 02108. U.S. District Court Fee (\$5.00), Basic Service Fee (1H) (\$30.00), Travel (\$1.00), Postage and Handling (\$3.00), Attest/Copies (\$10.00) Total Charges \$49.00

Deputy Sheriff John Cotter

Deputy Sheriff

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

Signature of Server

Address of Server

P979050